

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ROBERTO ROMERO, M.D.,

Plaintiff,

CIVIL ACTION NO. 06-CV-10859-DT

vs.

DISTRICT JUDGE PAUL V. GADOLA

IRINA BUHIMSCHI, M.D.,
YALE UNIVERSITY,
CARL WEINER, M.D.,
ROYAL COLLEGE OF
OBSTETRICIANS AND
GYNAECOLOGISTS,
JOE DOES A-G

MAGISTRATE JUDGE MONA K. MAJZOUB

Defendants.

/

**ORDER GRANTING PLAINTIFF'S MOTION FOR LEAVE
TO SUPPLEMENT PLEADINGS (DOCKET # 23)**

On February 27, 2006 Plaintiff filed a Complaint against Defendants Irina Buhimschi, M.D., Yale University, Carl Weiner, M.D., Royal College of Obstetricians and Gynaecologists ("RCOG"), and John Does A-G. Defendants Buhimschi, Yale, and Weiner have each filed motions to dismiss. Defendant RCOG has not waived service of process or filed a responsive pleading to the Complaint.

On May 16, 2006 Plaintiff filed a Motion to Supplement Pleadings Pursuant to Fed. R. Civ. P. 15(d) (Docket # 23) to add an additional claim against Defendant RCOG based upon new facts which are related to the claims made in the original Complaint. The Court ordered Defendants to file a response to Plaintiff's Motion to Supplement Pleadings by June 6, 2006. Defendants Yale and Weiner filed a response indicating no objection to Plaintiff's motion since the changes to the Complaint do not pertain to them.

(Docket ## 26, 28). The remaining Defendants filed no response. Therefore, the Court considers Plaintiff's Motion to Supplement Pleadings to be unopposed. See *Detroit Tarpaulin and Repair Shop, Inc. v. Tri-State Tarp, Inc.* 2006 WL 305558 * 1 (E.D. Mich. 2006)(slip copy). The District Court Judge Paul V. Gadola referred said motion to the undersigned for hearing and determination pursuant to 28 U.S.C. § 636(b)(1)(A). The Court finds that the facts and legal arguments are adequately presented in the parties' papers and the decision process would not be significantly aided by oral argument. Therefore, this motion will be resolved without oral argument pursuant to E.D. MICH. LR 7.1(e)(2).

Upon review and consideration, the Court hereby **GRANTS** Plaintiff's unopposed Motion to Supplement the Pleadings Pursuant to Fed. R. Civ. P. 15(d).

IT IS ORDERED that Plaintiff file and serve Defendants with a Supplemental Complaint **on or before June 23, 2006**.

IT IS FURTHER ORDERED that Defendants shall plead in response to the Supplemental Complaint **on or before July 10, 2006**.

IT IS SO ORDERED.

NOTICE TO PARTIES

Pursuant to Fed. R. Civ. P. 72(a), the parties have a period of ten days from the date of this Order within which to file any written appeal to the District Judge as may be permissible under 28 U.S.C. § 636(b)(1).

Dated: June 16, 2006

s/ Mona K. Majzoub

MONA K. MAJZOUB
UNITED STATES MAGISTRATE JUDGE

Proof of Service

I hereby certify that a copy of this Report and Recommendation was served upon Counsel of Record on this date.

Dated: June 16, 2006

s/ Lisa C. Bartlett

Courtroom Deputy